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The Bible in Colorado's Public Schools

Morality & Mayhem in "the Public Square"

The tragedy at Littleton, Colorado's Columbine High School has renewed the national debate over religion and morality in "the public square" and particularly in the public schools. School prayer, Bible readings, and the Ten Commandments have, of course, been expelled from the schools, but the recent murderous attacks at Littleton (15 dead, 23 wounded); at Pearl, Mississippi (two dead, seven wounded); at West Paducah, Kentucky (three dead, five wounded); at Jonesboro, Arkansas (five dead, 10 wounded); at Springfield, Oregon (two dead, 22 wounded); and elsewhere have caused the nation to pause again and consider what deviltries may have taken the place of those traditional acknowledgments of a Supreme Being and a higher law.

The law within the State of Colorado provides an interesting contrast between the days when Bibles were read in school and today. Colorado's story is summarized in the cases below. Colorado is not unique, of course; the same story could be told for each of the several States.

Once, Colorado's local school boards were *permitted* to require their teachers to begin the school day by reading Bible passages to those pupils whose parents did not object. In the 1920's the board of education for Weld County, Colorado required teachers to read to their classes every morning from the Bible, but without commenting on the passages that they read. Some parents instructed their children to "withdraw" during such readings, and the board then ruled that no pupil was to leave the room during the Bible reading. A lawsuit ensued, and the Colorado Supreme Court held that Bible reading at the beginning of the school day is constitutionally permissible so long as parents who object can have their children excused. The court was especially solicitous of the rights of parents to control the religious upbringing of their children. The Court denied that reading from the Bible was a "sectarian" activity, but it did reserve the right to consider future claims that the reading of a particular passage or a comment might constitute the teaching of sectarian doctrines or tenets. *People ex rel. Vollmar v. Stanley*, 255 P. 610 (Colo. 1927). In an opinion that makes for fascinating reading, the Court also said:

"[I]t is said that reading the Bible is intolerant and a form of religious persecution; but, if those who do not like it can stay away and yet say to those who do like it, 'You shall not read it here,' who is intolerant? Are those who stay away persecuted? It is urged that to absent themselves for a religious reason 'subjects the pupils to a religious stigma and places them at a disadvantage.' We cannot agree to that. The shoe is on the other foot. We have known many boys to be ridiculed for complying with religious regulations but never one for neglecting them or absenting himself from them. . . ." *Id.* at 617-18.

Today, the Constitution of the United States is interpreted to *forbid* a Colorado public school teacher to keep his own Bible on his desk and read it silently during school hours. By 1990, the law in Colorado (and throughout the country) was quite different as the Supreme Court of the United States had overturned the earlier law of the First Amendment.

In 1986 and 1987, a fifth grade teacher in a Denver public school had been ordered by his principal to remove his Bible from his desk, to stop reading the Bible silently during the 15 minutes each day that he set aside for silent reading in the classroom, and to remove two books from his personal, 239-volume library which he maintained within his classroom for the free use of his students. The two books were *The Bible in Pictures* and *The Story of Jesus*. The principal was unconcerned with the teacher's books on the Greek gods and American Indian religions, and she was not concerned with the teacher's silent reading of a book on the life of Buddha.

The federal courts held that the principal's order was *required* by the Constitution of the United States. Whereas formerly a teacher could read Bible passages to his students, now the Establishment Clause of the First Amendment was construed to mean that it is unconstitutional for a public elementary school teacher to have a Bible on his desk for his own reading! The court of appeals said:

"... [The teacher's] avowed purpose for reading his Bible in class was to model reading for the students. Because [the teacher] chose to keep his Bible on his desk continuously and read it frequently, [the principal] feared that [the teacher] was setting a Christian tone in his classroom. Having formed that impression, [the principal] had a duty to take corrective steps. . . ." *Roberts v. Madigan*, 921 F.2d 1047, 1055-56 (10th Circuit, 1990), *cert. denied*, 505 U.S. 1218.

Perhaps after Littleton, Colorado and Pearl, Mississippi and West Paducah, Kentucky and Jonesboro, Arkansas and Springfield, Oregon and other sites of schoolyard mayhem there will be a greater unwillingness to strike down "a Christian tone" in a classroom. Most parents, we suspect, would welcome "a Christian tone" in the classrooms and cafeterias and libraries and parking lots and ball fields of today's public schools.

What is it about the "tone" of the Golden Rule, to name one prominent Christian teaching, that makes it inharmonious for today's public schools? And, of course, the Bible is more than the New Testament, but Moses' teachings are also impermissible. What is it about, "And God spake, saying, Thou shalt not kill" (see, Exodus 20:1, 13, *KJV*) that sets the wrong "tone" for today's school children? Notice, as these two examples readily demonstrate, that it is easily possible to use Biblical sources without falling into sectarian bickering.

Colorado and the entire country have come a long way since 1927 when Bibles were read openly in public schools. The question is, have we come the wrong way, and, if so, can we find our way back?

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